



**GENOVA
BURNS**
ATTORNEYS-AT-LAW

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October 28, 2016

VIA EMAIL, REGULAR MAIL & UPS OVERNIGHT

Monmouth County Republican Committee
20 Route 537 E.
Colts Neck, New Jersey 07722

Attn: Shaun Golden, Chairman
Tom Szymanski, Executive Director

Re: Demand to Cease and Desist Publication of Mailer/TV Advertisements

Dear Gentlemen:

We write on behalf of Maggie Moran to inform you of a factual inaccuracies contained in two separate publications approved by and paid for by the MCRC, both of contain false information defaming my client, Maggie Moran.

The first publication at issue was posted and republished on a blog entitled "Common Sense for Belmar" (<http://blog.common senseforbelmar.org>) on October 27, 2016. This publication remains available on the site. For the reasons below we demand that this publication be removed and retracted. We direct our demand to you as it is apparent from the "paid for" designation reflected on this publication that you and the Monmouth County Republican Committee are responsible for its publication and dissemination. In addition, we write to demand that you withdraw, and cease and desist hereafter, the publication and airing of a television commercial for which you are responsible which is now appearing on numerous media outlets covering Monmouth County and the region, which we understand specifically aired on October 27, 2016 on MSNBC at 7:30am and on CNN at approximately 3pm.

The False Mailer

The mailer at issue (attached) republishes an excerpt, out of context, from another publication called "Newsworks" which is facially false in that it inaccurately identifies my client as someone "who works for Ashbritt and helped manage its marketing campaign into New Jersey towns and municipalities." Having relied on this inaccurate statement published by Newsworks, the MCRC has now repeated and republished a false statement about my client which has no factual basis and you are now responsible for the republication of this falsehood and will remain so in reckless disregard of its falsity should you and the MCRC not abide by this demand that you cease and desist from its republication and otherwise retract this false statement.

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This statement is inaccurate for the following reason. Ms. Moran was never engaged by or compensated by Ashbritt, Inc. related to its work for the State of New Jersey following Superstorm Sandy in October 2012. She was not a consultant, employee or otherwise an agent of Ashbritt, Inc. To be explicitly clear, neither Ms. Moran nor her business entities were ever hired, engaged, compensated or paid by Ashbritt, Inc. for work related to its post-Sandy cleanup. As such, we demand that you remove such reference from your publication and cease and desist from its republication.

Moreover, the mailer goes on to attempt to improperly tie my client to alleged remuneration from Superstorm Sandy cleanup by bootstrapping on the false claim that she “worked for Ashbritt”, a falsehood. A lie premised on a lie invites a further defamation which we will pursue on our client’s behalf should you fail to cease and desist from republishing that statement. Neither Ms. Moran or her business entity in which she has an interest, personally benefited from, nor did she receive remuneration as a result of any services provided by any contractor engaged by Belmar to perform post Superstorm Sandy work.

The False TV Advertisement

In addition, we understand that the MCRC has created, published and paid for an advertisement now airing on several media outlets, namely AMC Network, Bravo Network, CNN, ESPN, Fox News, History Channel/A&E Networks, MSNBC, TNT and News 12 New Jersey. The ad appears at the link attached to the emailed transmission of this letter. The transcript of the ad, read by a narrator, is as follows:

“Monmouth County suffered after Superstorm Sandy.
Belmar Mayor Matt Doherty’s family was cashing in.
Belmar gave a **no bid contract** worth millions to a cleanup company that Doherty’s wife worked with.
Doherty’s record: higher property taxes, debt and a pay raise.
Matt Doherty’s in it for himself, not us.
Freeholders Tom Arnone and Serena DiMaso cut taxes and spending.
They’re on our side, putting Monmouth families first.”

Like the mailer, this advertisement contains a false statement by referencing a contract with a Belmar vendor with whom Ms. Moran purports to have worked, but from which she received no remuneration, and which contract was awarded through an open and public bidding process - not the “no bid contract” your advertisement asserts. Again, you continue to purvey

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false information in this media advertisement. We therefore demand that you cease and desist from doing so and withdraw this reference in the ad.

Cease and Desist

As you no doubt know, publications and advertisements and their sponsors have the legal obligation to provide full, fair, truthful and accurate reports. Given your republication of your mailer on the Common Sense blog above, we are simultaneously notifying of that publication, of this correspondence, and specifically of the fact that Ms. Moran does not have any affiliation with Ashbritt, Inc. related to its post-Sandy work or contract with the State of New Jersey. As such, the statements in the article linking Ms. Moran to Ashbritt, Inc., are factually inaccurate and should be removed from the blog post. As for the media advertisements, absent your immediate withdrawal of the offending language in the advertisement cited above, we intend to pursue relief from the media outlets themselves.

Since you now know that Ms. Moran had no connection with Ashbritt, Inc.'s post-Sandy work, and that the claim in the mailer is factually incorrect, we demand that your publication of the mailer be immediately retracted and that all such incorrect statements be corrected. Also, since you know that the contract to which you refer in the television advertisement was procured through an open public bidding process, we demand that you retract that reference in the ad immediately. Absent these corrections, we will have no choice but to seek relief in court to ensure that Ms. Moran's reputation is not impugned further by these false and defamatory statements.

Be guided accordingly.

Very truly yours,

GENOVA BURNS LLC

ANGELO J. GENOVA

AJG

cc: David Schneck, commonsenseforbelmar.com (via email)
Maggie Moran (via email)

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